

Submitted Questions
Western Theme Museum and Cultural Venue
June 15, 2012

1. Does the City have a definition for a cultural venue?
 - We know what it is not, which is housing, multi-family, retail, or office. Outside of that, we really want the submitter to define what they think it is in their proposal, why it is cultural, and how it benefits, supports and complements the Western museum piece. We do not have preconceived ideas of what the venue would look like. It is somewhat subjective, but we wanted to make sure you knew there are certain things that we do not want to receive applications on.
2. What should the final proposal look like?
 - We have not predetermined what it might look like. Over the years, there has been a variety of conversations about what could take place on that site. We are doing this process intentionally to find out what proposed uses are out there. What creative ideas do folks have for that site? That is really the pure intent, is to find out what those uses are.
3. What is the City looking for in terms of the land arrangement? What about retail?
 - Any construction that would commence on the site, when the certificate of occupancy is issued, becomes City property. The City is not contemplating a lease at this point. The City's offering is of land. If a submittal proposes something as an alternative to that, we are willing to accept it. We recognize that some retail, interior of a project, is perhaps required and necessary for a project. We are not looking for a proposal that is purely retail, but if the proposal suggests that a retail component is required to make the project feasible and it makes sense for the use, that is acceptable. We anticipate that retail would be part of the proposal.
4. You are suggesting that the City is going to offer land to the project, but is it in the context of an economic joint venture?
 - I think it is both. I think there might be some hybrids of that model. Again, we are open to ideas, but that is probably a more appropriate question to put in writing so that we can respond to it during the formal process.
5. Is the City sensitive to the adjacent residential use, which is Main Street Plaza Condominiums, and the impact on their living conditions?
 - Yes, we are very sensitive to not only the Main Street Plaza Condominiums, but, as I mentioned, to all the uses in the area. There are other residential uses in the area as well. There are other retail uses in the area. There is a school to the south. There is a school to the east, a realtors' school. We recognize that there is a variety of uses. We would like to see whatever is constructed on that site to be complementary to the adjacent uses. We do not want to see something that is completely out of context, or detracts from the value and the quality of life of those properties around it. We are certainly aware of all the adjacent uses in that area, and we want submitters to talk about how their uses

complement that. And if there were potential negatives of a submittal, we would want them to talk about how those are going to be mitigated, if possible. It is a very big consideration for us, and it is something that is going to be at the forefront of our discussions going forward, and as well with the City Council. City Council is going to want to make sure that whatever is on the public's land is supportive and complementary to the adjacent uses around it.

6. How quickly will improvements to the land commence?
 - The federal commitment to the Loloma site will be transferred when the City obligates the improvement project for Thomas Road, including the transit elements of that project. The project is fully designed, and is currently being processed by the City's Capital Project Management Division. We anticipate that the project would be under construction, or committed to be under construction, this fall. As soon as the City obligates itself for the construction of the Thomas Road project, we would then process the final determination with the Federal Transit Authority to remove any requirements from the Loloma site.
7. Does the transfer begin when the City commits itself?
 - The Federal Transit Administration agrees that our transit commitment for the Loloma site may be transferred to the Thomas Road project. The only requirement is that the City obligates itself for the Thomas Road improvements to finish the transfer.
8. ??? (Speaker not picked up by microphone)
 - I do not have an answer to that, so it is probably a question you want to submit directly.
9. How many parking spaces at the current museum site are formally allocated for use by the museum?
 - I do not know that, but go ahead and submit that for follow up as well.
10. To what degree will the City assume responsibility for infrastructure and streetscaping?
 - The answer to that will become clearer once we know what the submittal is, and what is being asked of the City. But I think if you have a project that does require City involvement in terms of infrastructure, be very clear about what those needs are, and then we can address that and make sure that Council has that information available to them in terms of what is needed from the taxpayer/City side of it.
11. What is the process of getting funds committed for the Thomas Road project?
 - We have funds available for a capital project on Thomas Road. We have design plans. We need to go through a contractor bidding process and select a contractor to construct the project. As soon as the City enters into a contract for the Thomas Road project, then we have committed ourselves to its construction, and the Federal Transit Administration would relieve us of the transit obligations on the Loloma site.

12. Does that mean that for sure, the minute you start construction on the Thomas Road project, that the Loloma site will be cleared of its obligation?
 - We have an agreement once we make a commitment to move forward with the project, i.e. commit funds through contractual arrangements with a contractor. At that point, we can remove the stipulations on the Loloma site. We do not have to complete the Thomas Road project; we just need to obligate ourselves to undertake its construction.
13. Can the City provide a copy of the written document/agreement between the City and the FTA regarding transferring the Loloma transit obligation to another location?
 - If you will do me a favor, in the submittal process, make that one of your questions and request that.
14. Is the agreement in writing, or is it verbal?
 - I have not been directly involved in those discussions, so I do not know.
15. What would be the earliest possible anticipated date for the property to be conveyed back to Scottsdale, and what is potentially the latest?
 - I would guess that the bidding process for the Thomas Road project will commence this summer and that we will have a contractor ready to present a contract to City Council at their first meeting in the fall, on August 21. An unforeseen circumstance would be the only reason it would be delayed longer than that.
16. How long do you anticipate it will take to complete the project?
 - Nine to ten months after the start of construction.
17. Will the panel contain representation from the Scottsdale Cultural Council?
 - We anticipate when we put together the selection panel that it will include representatives from the Scottsdale Cultural Council. If others have suggestions for whom else might be appropriate, we would welcome those suggestion via email. We do want the selection panel to be a diverse group with a variety of backgrounds and expertise.
18. ??? (Speaker not picked up by microphone)
 - That will depend on the proposal and on what the structure is for that proposal. Whether it is completely private, whether the proposal requires management of an outside private non-profit, or whether the City Council sees the Cultural Council as having a role to play, it really just depends on what the submittal suggests and requires as far as management.
19. ??? (Speaker not picked up by microphone)
 - If we are on target, and we go to City Council at the end of August, we would get some direction at that point. If the direction is to enter into contract negotiations to put together an agreement, that could take a month or two. It depends on the complexity of their agreement. We realize that something of this magnitude is going to require some time to develop. In a worst case scenario, it would take two months to develop it and return to City Council in October with that draft agreement. There is

potential that City Council will have some input on it and ask to reevaluate some aspects, or they could accept it as is. Going forward, assuming some revisions are needed, the process could take another 30 days to finalize. Depending on what the City's role in this would be, in terms of the construction, design and the public process, it could take a little more time as well. We want folks to understand that the rezoning piece is just one aspect. It is just the public process to make sure the City Council is kept aware of the process going forward. It could take anywhere from three to five months.

20. Will there be any required public hearings/open houses?

- Before the submittal at the end of July, if a submitter wanted to gauge public interest in their proposal, it is their option to hold a public meeting and invite the area users in to provide their feedback. That would not be a City public hearing process by any means. All City Council meetings are public hearings. Could staff recommend, or City Council direct staff to have public hearings on that final submittal to move forward and develop a contract? It is very possible, and that could add some more time to it. We anticipate that City Council is going to want to make sure that all of the area's concerns are addressed, that the public is fully aware and fully involved in the process, and that may take us outside of the Council, and might address some public hearings out on site with the submitter as well. Making sure there is a good public involvement plan is part of this proposal, and it would be helpful if the submitter considers that, and maybe even submits a plan for how the public can be involved outside of the City's regulatory processes.

21. Is the City in a position to help facilitate dialogue between potential submitters so they can achieve the City's goal to have a single developer for the site?

- The City does not know who is out there, and to suggest that these are the only folks who are interested in this site and may submit, may not be accurate. It would not be appropriate for the City to reach out to real, perceived, or potential submitters to put them in contact with each other, because liabilities are involved. The sign-in sheet will become a public document for folks to use to whatever extent they would like, but the City is not in a position to facilitate that for a variety of reasons.

22. Is there an accepted mechanism whereby there could be pre-bid conference to bring interested parties to the table to reach a cooperative understanding?

- That is potentially a byproduct of this meeting. People are welcome to go to the site and have conversations. While that is not the intended purpose of this meeting, it is a potential byproduct. We are not aware of any mechanism we've done with any other process, where we held a meeting to make sure parties were aware of each other and to foster a collaborative spirit. It is not that the idea is a bad one; it is just that the City has to look at it from a neutral perspective, and not try to facilitate discussions that maybe would not occur on their own. We want people to submit proposals, but not drive that effort in any way.

23. Role of Scottsdale Western Art Associates, Inc., Scottsdale Cultural Council and others' roles with the project?

- Comment card misplaced at meeting.

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